

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Dr. Willis Lewis,

Plaintiff,

v.

Winthrop University,

Defendants.

C/A No. 0:21-cv-1583-JFA-PJG

ORDER

The plaintiff, Dr. Willis Lewis, filed this civil rights action alleging a single claim for race discrimination pursuant to 42 U.S.C. § 1983 against his employer, a state university. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), the case was referred to the Magistrate Judge for pretrial proceedings.

Defendant filed a motion to dismiss for failure to state a claim in lieu of filing an answer to Plaintiff's complaint. (ECF No. 7). After receiving Defendant's motion to dismiss and reviewing all responsive briefing, the Magistrate Judge assigned to this action¹ prepared a thorough Report and Recommendation ("Report"). (ECF No. 16). Within the Report, the Magistrate Judge opines that Defendant's motion should be granted and the case dismissed with prejudice. The Report sets forth, in detail, the relevant facts and standards of law on this matter, and this Court incorporates those facts and standards without a recitation.

The parties, both of which are represented by counsel, were advised of their right to object to the Report, which was entered on the docket on September 9, 2021. *Id.* The Magistrate Judge

¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.). The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976).

required objections to be filed by September 23, 2021. *Id.* No party filed objections. Thus, this matter is ripe for review.

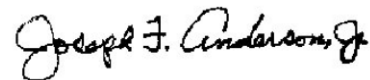
A district court is only required to conduct a *de novo* review of the specific portions of the Magistrate Judge's Report to which an objection is made. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b); *Carniewski v. W. Virginia Bd. of Prob. & Parole*, 974 F.2d 1330 (4th Cir. 1992). In the absence of specific objections to portions of the Magistrate's Report, this Court is not required to give an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

Here, each party has failed to raise any objections and therefore this Court is not required to give an explanation for adopting the recommendation. A review of the Report indicates that the Magistrate Judge correctly concluded that Defendant's motion should be granted.

After carefully reviewing the applicable laws, the record in this case, and the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, this Court adopts the Magistrate Judge's Report and Recommendation and incorporates it herein by reference. (ECF No. 16). Consequently, Defendant's motion (ECF No. 7) is granted, and this matter is dismissed with prejudice.

IT IS SO ORDERED.

September 29, 2021
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge